

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MELISSA BIALLA,

No. C 11-5572 SI

Plaintiff,

**ORDER DISMISSING CASE FOR  
FAILURE TO PROSECUTE**

v.

KIM TURNER, et al.,

Defendant.

Plaintiff filed this action on November 16, 2011. After assignment to Magistrate Judge James, defendants filed motions to dismiss plaintiff's claims on December 7 and 8, 2011. Plaintiff did not file oppositions or contact Magistrate Judge James regarding these motions. On December 30, 2011, Magistrate Judge James issued an Order informing plaintiff to show cause by January 12, 2012 why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff did not respond, nor did she file a consent to hear this case before a Magistrate Judge. The case was therefore reassigned to this Court on January 18, 2012. As of this date, plaintiff has not filed anything nor contacted the Court to discuss the status of this action.

This matter is scheduled for hearing on February 24, 2012. The Court VACATES the hearing and DISMISSES this action without prejudice for failure to prosecute under FRCP 41(b).

**IT IS SO ORDERED.**

Dated: February 21, 2012



SUSAN ILLSTON  
United States District Judge